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Scott W. Kelley, Reg. No. 30,762

December 3, 2003
Date



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GROUP 3600

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	Group Art Unit: 3627
)	
Richard Tad Lepman)	Examiner: Andrew Rudy
)	
Serial No. 09/545,628)	
)	
Filed: April 7, 2000)	Docket No. BERK-37617
)	
For: PROCESS FOR DETERMINING)	
OBJECT LEVEL PROFITABILITY)	
_____)	

DECLARATION OF PRIOR INVENTION IN THE UNITED STATES TO
OVERCOME CITED PUBLICATION (37 C.F.R. §1.131)
RICHARD TAD LEPMAN

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. My name is Richard Tad Lepman and I am the inventor of the above-identified application.
2. I had prepared and filed a Provisional Patent Application directed to the invention, which was filed on April 9, 1999 and granted Serial No. 60/128,769.

3. In June of 1999, I, through Berkeley *IEOR, licensed the invention to NCR.
4. Subsequently, the Royal Bank of Canada obtained rights to the invention from NCR. Thus, the *Curley* reference cited in the August 4, 2003 Office Action (which is dated April of 2000) is in fact directed to my invention, licensed through NCR.

The undersigned declares that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such false statements may jeopardize the validity of the application or any registration resulting thereon.

19 November 2003
Date

Richard Tad Lepman
Richard Tad Lepman